

Gen. Haig - FYI  
action to Smith

THE SECRETARY OF STATE  
WASHINGTON

June 24, 1971

MEMORANDUM FOR THE PRESIDENT

Subject: DOD Request for Authority to Continue  
Use of Herbicides in Viet-Nam

In his memorandum of May 13, 1971, Secretary Laird requested your approval for the Department of Defense to continue to use herbicides in Viet-Nam on a restricted basis until the RVNAF possess a herbicide capability or until December 1, 1971, whichever is earlier. Secretary Laird's request would extend the use of herbicides by U.S. forces in Viet-Nam up to a maximum of seven months beyond the anticipated phase-out date of May 1, 1971. The Department of State on political grounds would prefer no extension of herbicide use in Viet-Nam. While Secretary Laird bases his recommendation solely on a military justification, there are certain basic political factors which should be weighed in considering his request.

A public expectation has developed that herbicides would be phased-out in Viet-Nam during the first half of this year as a result of public statements, Congressional testimony, and the White House press release of December 26, 1970 stating,

"Ambassador Bunker and General Abrams are initiating a program for an orderly yet rapid phase-out of the herbicide operations.

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"During the phase-out, the use of herbicides in Viet-Nam will be restricted to perimeter of fire bases and U.S. installations or remote, unpopulated areas."

Senator Fulbright reflected this view in his April 15 letter to you (which he released to the public on June 8) when he said "we note that the use of herbicides in Viet-Nam is now being discontinued." Any decision to extend the use of herbicides in South Viet-Nam might well, therefore, give rise to charges that the Administration has misled the American public and the Senate Foreign Relations Committee, and could conceivably result in further attempts to legislate a prohibition of herbicide use in Southeast Asia. Moreover, in view of the language of the December 26 press release, any extension of such authority which went beyond "perimeters of fire bases and U. S. installations" to include "fields of fire" (as Secretary Laird appears to propose) could generate criticism not only as a reversal of the phase-out process but as a decision to increase the scope of herbicide use. Finally, the herbicide question has a direct bearing on our efforts to achieve ratification of the Geneva Protocol, although the Senate seems unlikely to move the Protocol forward in its present form during this session.

Given our public and Congressional vulnerability because of prior announcements on "phase-out" of herbicides, a decision now to reverse the phasing-out process and to continue and broaden the use of herbicides in Viet-Nam should clearly be based on important military requirements. If in your judgment these requirements outweigh the possible political costs involved, we suggest a limited extension not beyond December 1, 1971 at a maximum for the use of herbicides in Viet-Nam under the definitive and

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restricted conditions outlined by Secretary Laird except that such use be restricted to "perimeter of fire bases and U.S. installations" as stated, in part, by the December 26, 1970 White House press release rather than to "fields of fire." In this event it is also suggested that we take a positive approach with regard to both the public and the Congress by issuing a statement along the following lines:

--In December we announced a phase-out of herbicide operations in Viet-Nam.

--In February we terminated crop destruction operations and the use of fixed-wing aircraft for defoliation missions.

--The military situation is now such that we are using herbicides only for vegetation control in and around bases and installations where U.S. forces are stationed. The USDA restrictions governing the use of herbicides in the U.S. will still be applicable in Viet-Nam during this extension.

  
William P. Rogers